

EXHIBIT

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Corporate Representative
30(b) Document Production

Investigative File

Southlawn Middle School
(May 2002)

**Office of Human
Resources**

March 11, 2002

TO: Mr. Clinton Carter, Superintendent, Montgomery Public Schools

FROM: Jimmy Barker, Assistant Superintendent of Human Resources

RE: Investigation into teacher misconduct at Southlawn Middle School

Dear Mr. Carter:

A thorough investigation has been conducted into allegations of unprofessional conduct on behalf of Mr. Melvin Lowe, a sixth grade teacher at Southlawn Middle School. Mr. Lowe was accused of shoving a student against a wall outside his classroom causing injury which ~~required~~ ^{resulted} a visit to the Emergency Room at Jackson Hospital for medical attention. *later that weekend*

Those interviewed included the accuser, D'Angelo King, the accused, Melvin Lowe, D'Angelo's mother and grandfather, Tina King and Cleveland Lee respectively, several teachers, Mr. Pedro Lewis, Mrs. Jeannette Duncan, Robin Williams, Ms. Adrian Cyrus, retract aide, Mr. Richard Edwards, the principal Mrs. Doristine Minott, and eight (8) students in the class. During the interviews D'Angelo also accused Mr. Lowe of using profanity and calling him derogatory names as did at least two other student witnesses. This allegedly was common practice with Mr. Lowe according to D'Angelo and his mother. In addition Mr. Lowe was accused by D'Angelo of taking students to the retract room for paddlings without the sanction of the school administration.

FINDINGS: The investigation proved inconclusive with regard to the specific allegation of Mr. Lowe shoving the student against the wall. However, a review of video taped recordings taken by the school security monitoring system showed evidence of an adult male and juvenile male entering the hallway, walking down the hallway and ultimately, in the same time frame, of an adult male standing over the juvenile male, who is backed up against the wall. Because of the distance of the subjects away from the camera, it was not possible to positively identify the subjects. Also, because the tape records every 3 seconds or so, it was uncertain as to how the juvenile wound up against the wall. Mr. Lowe admitted that he took the student into the hallway with the intention of taking him to the administrative office before changing his mind and returning to his class. He also admitted to verbally reprimanding the student while in the hallway, but denied using the derogatory language attributed to him by the student. Other students in the class, however, reportedly heard the exchange and made similar allegations against Mr. Lowe. Mr. Lowe also denied ever having taken students to the retract room or any other room for paddlings. No evidence to the contrary surfaced, although, the retract

teacher admitted to having participated in unsanctioned paddlings on several occasions in the bandroom. Mr. Lowe denied making any physical contact with D'Angelo at all. Circumstantial evidence seems to support the allegations.

RECOMMENDATION: Based on the findings of the investigation I recommend that:

1. Mr. Lowe be placed on ^{five} ~~ten~~ (5) day suspension without pay before being reinstated to his active teaching position.
2. Mr. Edwards, the retract teacher, was recommended for termination as a probationary employee in the February 28, 2002 Board minutes.
3. D'Angelo King be rescheduled so as to have no further classes from Mr. Lowe.
4. Upon his reinstatement, a letter of reprimand be placed in Mr. Lowe's personnel file, relative to professional conduct required of MPS employees.

FOLLOW-UP INVESTIGATION

By Jimmy Barker

March 12, 2002 7:45 a.m. arrived at Southlawn Middle School

I met with Mrs. Doristine Minott at approximately 7:55 a.m. and informed her of the purpose of my visit: To ask follow-up questions of several witnesses in the Melvin Lowe investigation.

Those questioned included Mrs. Minott, Mr. Pedro Lewis, Mrs. Robbin Phillips, Mrs. Adrian Cyrus, Mr. Roger Rudolph, Mrs. Jeannette Duncan, Mrs. Cynthia Tucker and Jasmin Patterson, a student.

QUESTIONS AND ANSWERS

Mrs. Minott

Q: Is there any record of prior complaints of profanity or calling students demeaning names on behalf of Mr. Lowe?

A: No, not prior to this. Mr. Lowe has pretty good rapport with his parents. He calls them often and he gets along well with his students. But, no I haven't had any prior complaints.

Mr. Pedro Lewis (teacher)

Q: Where is your room located relative to Mr. Lowe's room?

A: Across the hall.

Q: Did you hear any specific conversation during the alleged incident?

A: Mr. Lowe said something to the effect that "Since you can't follow directions, I'm gonna take you to see Mrs. Tucker. His voice was somewhat loud.

Q: Did you hear him say anything else?

A: Not that I recall. My door was opened and they walked by, the boy first, then Mr. Lowe.

Q: Did you witness any physical contact between Mr. Lowe and D'Angelo?

A: No, sir.

Q: What did D'Angelo tell you about the incident?

A: He said that Mr. Lowe slung him against the wall.

Q: Why didn't you report it?

A: It wasn't like he was hurt. He just said that Mr. Lowe had thrown him against the wall and went on to sit down and didn't make anything of it. Students often will say things about Mr. Lowe's class, but nothing of serious consequence,

Mrs. Robbin Phillips (teacher)

Q: Where is your room located relative to Mr. Lowe's classroom?

A: Right across the hall.

Q: Did you see any exchange whether verbal or physical between Mr. Lowe and a student on the day in question?

A: No.

Q: Did the student complain to you that day?

A: No, he was quiet and did his work.

Q: What time does he come to you?

A: About 12:30, 5th period.

Q: If you had to characterize the student's honesty what would your comment be?

A: He hasn't told me any lies . . . that I am aware of.

Mrs. Adrian Cyrus (teacher)

Q: The video camera shows you passing by in the hallway on the date of the alleged incident at about the time it was alleged to occur. Do you recall passing by?

A: I may have. I've heard him with students before, but I just keep going. It is nothing out of the ordinary.

Q: Do you recall seeing the exchange?

A: I didn't see it. I just probably heard it and paid it no mind.

Mr. Roger Randolph (teacher)

Q: During the investigation, allegations of paddlings occurring in the bandroom have surfaced. Have you witnessed the paddling of students in the bandroom?

A: No.

Q: have you paddled students yourself?

A: Yes, but I bring them to the office or to an administrator. Mrs. Tucker (Administrative Assistant) is right down the hall from me.

Q: Have you ever witnessed the paddling of a student in the retract room?

A: No, I haven't. Let me say this. I have paddled kids in the bandroom but in the presence of an administrator.

Jasmin Patterson (student)

Q: When you told officer Crew that you saw Mr. Lowe in the hallway with the student, what did you actually see?

A: The student was standing against the wall and Mr. Lowe was fussing at him and sticking his finger in his face (gesturing to demonstrate). Then he grabbed the student by the arm and threw him back into the classroom.

Q: Is that all?

A: Yes, sir.

Mrs. Jeannette Duncan (teacher)

Q: When does D'Angelo come to you?

A: About 10:00 o'clock for 3rd period.

Q: Did you hear or see the alleged incident?

A: No.

Q: There is a discrepancy about whether D'Angelo was at school the following Tuesday, do you remember?

A: Yes, he came. He checked in during my class around 10:00 a.m. I asked him how he was feeling and he said that his back was still hurting and that his

mother had taken him to the doctor over the weekend.

Mrs. Doristine Minott (Principal)

Q: Mr. Rudolph, the band director, acknowledges that he has paddled students in the bandroom before, but stated that it was always under the supervision of an administrator. Do you recall any such incident?

A: Not this administrator. He has paddled in the office under my supervision, but not to my knowledge in the bandroom. I'll call Mrs. Tucker so that you can talk to her.

Mrs. Cynthia Tucker (Administrative Assistant)

Q: Have you witnessed or sanctioned the paddling of students in the bandroom?

A: No.

Q: Mr. Edwards, the retract teacher said that you knew of such paddlings.

A: Well, he just outright lied.

Recalled Mr. Rudolph

Q: There is one thing about your earlier testimony that needs clearing up. Are you sure that you have had administrators present when you paddled students in the bandroom?

A: Well, I think so. It was very rare that I would bring a kid to the office. I try to handle things, you know.

*I reviewed the policy on corporal punishment with Mr. Rudolph and asked him to adhere to the letter in the future. He never actually admitted to paddling students without an administrator present

Ended interviews at 10:00 a.m.

Montgomery Public Schools
Office of Operations
Security Department

MEMORANDUM

To : File

From : E.R. Crew, *E.R. Crew*
Internal Investigator

Date : Monday, February 25, 2002

Subject : Investigation Involving Melvin Lowe, Teacher at
Southlawn Middle School

On Wednesday, February 20, 2002, I was instructed by Ron Smith, Director of Security, to meet a police officer at Southlawn Middle School in regard to a complaint involving Mr. Melvin Lowe. Mr. Smith further advised that Mr. Lowe had been accused of injuring a student by shoving the student against a wall on Friday, February 15, 2002. Mr. Smith added that the Principal, Tina Minott, had received a telephone call from an attorney representing the student.

Upon arrival at Southlawn Middle School I met the Principal, Mrs. Minott. She advised that earlier in the day she had received a call from Mr. Maurice Bell, Attorney for Deangelo King, a 6th grade student at the school. She stated that Deangelo had told her that he was pushed into a wall by Mr. Lowe on Friday, February 15, 2001. She further stated that the family was present and wanted to charge Mr. Lowe with Assault.

I was met a few minutes later at the school by Officer K.C. Miliner, Montgomery Police Department. After making Officer Miliner aware of the complaint, he interviewed Deangelo in the Security Office. Deangelo told Miliner that on the preceeding Friday, 2-15-02, Mr. Lowe was upset with him during first period because he did not have the correct pen to complete an exercise in class. He stated that sometime between 1st and 2nd period, Mr. Lowe took him outside the room and they began to walk toward the office. He stated that Lowe turned around and walked back toward his classroom. At this point according to Deangelo, Mr. Lowe began to get on to him in the hallway, and shoved him into the wall. A few seconds later he and Mr. Lowe returned to the classroom.

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Deangelo stated further that on the same day he told Mr. Lewis, and Mrs. Duncan, both teachers, what had happened. He added that Ms. Duncan took him in the hall and looked at his back and told him that it was just a muscle problem and that he would be alright. He stated that his back began to hurt over the week-end and his mother took him to the Emergency Room at Jackson Hospital. He stated that he was told by the physician there that he had a contusion and to take Aleve. During this interview I asked Deangelo what Mr. Lowe told him when they exited the classroom. He stated that Mr. Lowe told him "let's go down the hall ". I asked him if he thought they were going to the office and he stated that he didn't know. He added that "sometimes Mr. Lowe takes kids to the Retract office to paddle them".

After talking with Deangelo, I went to Ms. Minott's office and learned that on Sunday, February 17, 2002, she received a call at home from Mrs. Duncan. She stated that Ms. Duncan told her about Deangelo's version of the incident. She also stated that after she received a call from the lawyer representing Deangelo, she attempted to retrieve the incident from the security camera system. I was able to pull up the camera in the hallway where Mr. Lowe's door is located. At 8:58 a.m. on the tape, I observed an adult male and a juvenile male walk into the hallway at the far end of the hall, exit the fire doors and immediately walk back into the hallway near Mr. Lowe's classroom door. The adult male is then observed standing over the juvenile male, who is backed up against the wall. Because of the distance away from the camera it is not possible to identify the subjects. Because the tape records every 3 seconds or so, you are not able to ascertain how the juvenile wound up against the wall.

Officer Miliner attempted to interview Mr. Lowe while I was talking with Ms. Minott. Mr. Lowe was advised of his rights and advised Miliner that he did not wish to give a statement. He then left the building.

At approximately 3:55 p.m. on the same date, Wednesday, February 20, 2002, Officer Miliner and I met with the mother and grandparents of Deangelo in a conference room in the school office. Deangelo's mother, Tina King, indicated her strong desire to press charges against Mr. Lowe. Officer Miliner persuaded Ms. King to wait until the next day, Thursday, 2-21-02, so that the matter could be investigated further.

On Thursday, 2-21-02, I went to the school and learned that Mr. Lowe did not come to work. I interviewed a teacher, Ms. Adrian Cyrus, whom I had seen walk by on the tape while the adult and juvenile were standing outside Mr. Lowe's door. Ms. Cyrus stated that she did not remember anything out of the ordinary from Friday morning. She stated that teachers are always fussing at students, telling them to get

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in line, pull their pants up, etc. I asked her if she would remember seeing a teacher really getting into a student's face and she replied "probably not".

I then interviewed Pedro Lewis, who teaches in the classroom next to Mr. Lowe. Mr. Lewis stated that he has Deangelo second period, just after he leaves Mr. Lowe's class. He stated that sometime during first period he heard Mr. Lowe getting onto Deangelo in the hallway. He stated that he asked Deangelo what had happened and he stated that Deangelo told him that Mr. Lowe had "slung him against the wall" because he didn't have a pen. Mr. Lewis denied Deangelo mentioning to him that his back was hurting. He stated that Deangelo did not ask him to go to the office to call his mother. I asked Lewis what he remembered Mr. Lowe say in the hallway and he replied that he heard Lowe tell Deangelo to "come on down the hall". He stated that this was said in a loud tone of voice.

I then talked with Ms. Jeanette Duncan, the teacher that Deangelo stated that he reported his injury to. Ms. Duncan stated that on Friday, 2-15-02, during 3rd period she noticed Deangelo frowning, and asked him what was wrong. He replied that his back was hurting. She then asked him how he had hurt his back and he replied "Mr. Lowe slung me up against the wall". She stated that Deangelo wanted to use the phone to call his mother. She stated that she then looked at his back and stated that she saw no discoloration or swelling. Deangelo then asked her if she thought he needed x-rays and she replied that it was probably just bumped hard. She stated that at about 2:35 p.m. that date Deangelo asked her if he should tell his mother what had happened and she told him to do what he felt like he needed to do.

Ms. Duncan stated that after school she attempted to find Ms. Minott to tell her about the incident but was unable to do so. She stated that she called Ms. Minott at home on Friday night and left a message on her machine. She stated that Ms. Minott called her back on Saturday and she reported to her what had happened. Ms. Duncan added that Monday, 2-18-02, was an in-service day, and when the students returned on Tuesday, 2-19-02, she asked Deangelo how he was doing. She stated that he told her that he had been to the doctor.

Also, on Thursday, 2-21-02, I interviewed the Retract Teacher, Richard Tyrone Edwards, in Ms. Minott's office. He stated that he was not aware of Mr. Lowe ever paddling any students in his office. I asked him if he had ever paddled any students without the principal being aware of it, and he replied that he had. He went on to say that on 2-3 occasions he had paddled students in the bandroom. He stated that he did not check with Ms. Minott, and he did not check the student's registration cards prior to administering the punishment.

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Later in the day on Thursday, 2-21-02, Ms. King was allowed to sign a warrant on Mr. Lowe for Harassment. Officer Miliner allowed Mr. Lowe to turn himself in at the City Jail.

On Friday, 2-22-02, I met briefly with Mr. Lowe in Assistant Superintendent Barker's office. He denied striking or assaulting Deangelo. He also denied ever administering corporal punishment to Deangelo or any other student at the school.

At this point the following facts are apparent: (1) enough of Deangelo's story has been validated to make the police feel that he was probably physically harassed by Mr. Lowe; (2) two teachers knew of the allegation against Mr. Lowe on the same day that it happened, but did not report it that day; (3) the principal became aware of the allegation during the week-end but did not report it until Wednesday, 2-20-02; (4) another teacher, not involved in this matter, admitted to administering corporal punishment without letting the principal know.

D'Angelo King
2/20/02

Mr. Some Guy mean things to some people in the class. When other teachers are in the class room he shout out. Mr. Some has a habit of saying the words hell, ass and racist words.

On Friday we had a writing prompt Mr. Some said write every other line. but I didn't hear him say write every other line. I wrote my writing prompt like I was told I finish and put my head down. Mr. Some come up to me picked the paper up showed it to me and said what should I write he written in and I said poem. meet me at the door Mr. Some said. I went to the door he went to Mr. Lewis and told him he was going to take care of me we got by the door leaving the 6th grade hall. I stop and said what I'm getting a paddle for Mr. Some was going to say a bad word until Mrs. Cyrus come in the door a 8th grader was opening the door and that's when Mr. Some threw me into the wall.

D'Angelo King
2/20/02

224-8445 - all (mon)

6139877 (Mr. Lee #)
D'Angelo King

**ADMINISTRATIVE INVESTIGATIVE SUMMARY
IN MATTERS REGARDING
MR. MELVIN LOWE AND DE'ANGELO KING**

ON SATURDAY EVENING, FEBRUARY 16, 2002, I RETURNED A CALL FROM MRS. JEANETTE DUNCAN, A SOUTHLAWN MIDDLE SCHOOL TEACHER, WHO STATED THAT SHE NEEDED TO MAKE ME AWARE OF SOMETHING. MRS. DUNCAN STATED THAT ONE OF HER STUDENTS, DE'ANGELO KING, WAS MOPING AROUND DURING 3RD PERIOD. SHE ASKED HIM WHAT WAS WRONG. DE'ANGELO TOLD HER THAT MR. LOWE HAD SLUNG HIM AGAINST THE WALL AND THAT HIS BACK WAS HURTING. MRS. DUNCAN ASKED HIM WHY THAT WAS DONE AND DE'ANGELO STATED THAT HE DID NOT HAVE A PEN TO DO HIS WORK WITH. MRS. DUNCAN SAID SHE LOOKED AT HIS BACK BUT DID NOT SEE ANYTHING WRONG. THE DAY CONTINUED. MRS. DUNCAN STATED THAT LATER DE'ANGELO ASKED HER IF HE SHOULD TELL HIS MOTHER. MRS. DUNCAN TOLD HIM TO DO WHAT HE THOUGHT HE SHOULD DO. I THANKED HER FOR THE INFORMATION AND TOLD HER I WOULD LOOK INTO IT ON TUESDAY WHEN THE KIDS RETURNED.

ON TUESDAY, WHEN I WENT TO TALK WITH DE'ANGELO, THE STUDENTS TOLD ME HE WAS NOT AT SCHOOL. I HAD TO LEAVE THE BUILDING THAT MORNING FOR A CONFERENCE WITH MRS. JOHNSON AND DID NOT RETURN UNTIL LATER IN THE AFTERNOON.

WEDNESDAY MORNING I RECEIVED A PHONE CALL FROM ATTORNEY BELL WHO ASKED ME ABOUT THE INCIDENT. I REFERRED HIM TO MRS. LOIS JOHNSON. AFTER THAT CONVERSATION, I WENT TO MR. LOWE AND MR. LEWIS TO ASK THEM ABOUT THE INCIDENT. MR. LOWE STATED THAT HE DID NOT SLING DEANGELO INTO THE WALL BUT THAT HE HAD CHASTIZED HIM VERBALLY. MR. LEWIS STATED THAT DE'ANGELO DID TELL HIM THAT MR. LOWE HAD SLUNG HIM AGAINST THE WALL. HOWEVER, DEANGELO HAD COMPLETED THE DAY AT SCHOOL WITHOUT ANY FURTHER COMPLAINTS. I ASKED BOTH TEACHERS TO GIVE ME A WRITTEN STATEMENT OF WHAT HAPPENED.

LATE WEDNESDAY MORNING, DE'ANGELO'S MOTHER AND GRANDFATHER CAME TO THE SCHOOL TO TALK WITH ME IN REFERENCE TO THE INCIDENT. I ASKED DE'ANGELO TO TELL ME WHAT HAPPENED. DE'ANGELO STATED THAT HE DID HIS WORK BUT HE USED A PENCIL INSTEAD OF A PEN. MR. LOWE GOT MAD AND TOOK HIM OUTSIDE OF THE CLASS. DE'ANGELO ASKED MR. LOWE WHAT HE WAS GOING TO GET A PADDLING FOR. WHEN THEY WERE IN THE HALL, MRS. CYRUS CAME

THROUGH THE HALL AND SAW THEM AND AN 8TH GRADE BOY SAW THEM TOO. HE STATED THAT MR. LOWE SLUNG HIM INTO THE WALL. I ASKED DE'ANGELO IF HE KNEW WHOM THE BOY WAS. HE SAID HE DID NOT KNOW HIS NAME BUT COULD IDENTIFY HIM. I TOOK DE'ANGELO TO EVERY 8TH GRADE CLASS BUT HE WAS NOT ABLE TO FIND THE STUDENT. I ASKED HIM TO WRITE ME EVERYTHING THAT HE VERBALLY TOLD ME. WHILE DE'ANGELO WAS DOING THAT I SPOKE WITH HIM MOM AND GRANDFATHER. THE MOTHER STATED THAT HER SON WAS TAKEN TO THE EMERGENCY ROOM AND THE DOCTOR REPORTED THAT HE SUFFERED A CONTUSION TO HIS BACK AND WAS GIVEN MEDICATION. THE MOTHER ALSO STATED THAT HER SON HAS REPORTED TO HER THAT MR. LOWE OFTEN CALLS THE STUDENTS NIGGER, IGNORANT ASS, AND USES THE WORDS DAMN AND HELL.

I ASKED THE MOTHER AND THE GRANDFATHER IF THEY WANTED TO CONFERENCE WITH MR. LOWE. BOTH STATED THAT THEY WOULD RATHER WAIT UNTIL I FINISHED MY INVESTIGATION. I ASSURED THEM THAT I WOULD LET THEM KNOW WHEN I FINISHED.

MRS. JOHNSON CALLED DURING THE MORNING TO INFORM ME THAT THE ATTORNEY HAD CALLED HER. I TOLD MRS. JOHNSON WHAT I KNEW UP TO THAT POINT. MRS. JOHNSON STATE SHE WOULD GET BACK WITH ME. SHE DID LATER IN THE DAY AND ASKED ME TO INFORM MY POLICE OFFICER. I BROUGHT DE'ANGELO BACK TO MY OFFICE SO THAT HE COULD DEMONSTRATE ON ME WHAT MR. LOWE ALLEGEDLY DID TO HIM. DE'ANGELO GRABBED MY SHIRT IN MY CHEST AND PUSHED ME AGAINST THE WALL. I CONTACTED OFFICER MILLINER AND HE CONTINUED THE INVESTIGATION FROM THAT POINT. MR. BOBBY CREWS FROM CENTRAL OFFICE CAME OUT AS WELL. WE LOOKED AT THE SECURITY MONITORS THROUGH MY OFFICE TO SEE IF THERE WAS ANY PHYSICAL EVIDENCE OF THE INCIDENT. WE WERE ABLE TO SEE EVIDENCE OF MR. LOWE APPEARING TO CHASTIZE DE'ANGELO IN THE HALLWAY.

ON FEBRUARY 21, 2002, I TOOK WRITTEN STATEMENTS FROM STUDENTS IN DE'ANGELO'S CLASSROOM. AT MR. BARKER'S REQUEST, I ALSO QUESTIONED MR. EDWARDS, THE RETRACT TEACHER AND OFFICER MCCREE, THE SECURITY GUARD, IN REFERENCE TO MR. LOWE ALLEGEDLY PADDLING STUDENTS IN THE RETRACT CLASS. BOTH STATED TO ME THAT TO THEIR KNOWLEDGE THAT HAS NOT OCCURRED.

OFFICER MILLINER HAS INFORMED ME THAT THE PARENTS HAVE PRESSED CHARGES AGAINST MR. LOWE. MR. LOWE HAS CALLED ME TO INFORM ME THAT HE VOLUNTARILY MET THE POLICE OFFICER AT THE POLICE STATION. HE ALSO STATED THAT HE WOULD PROBABLY BE PLACED ON ADMINISTRATIVE LEAVE.



Justin Patrick
Mrs. A. Payne
2-22-02

When I passed by the 6th Grade Hallway I was on my way to the Band room to get my brown shoes. On the way out the double doors I heard Mr. Loww telling a student that ~~he~~ was acting up in the class room. The student was on the wall and teacher was in front of him. He was hollering at the student. Telling him how he should act.

S. C. Webb, Jr.
2/25/02

Mr. Some has been known to some people in the class. When other workers are in the class, Mr. Some has a habit of saying the words hell, an ass, and bad words.

On Friday we had a writing prompt. Mr. Some said write anything you like but I didn't hear him say write anything. I wrote one writing prompt like I was told. I finished and got one down. Then some came up to me and said the paper was not good. He said I should write something in it. I wrote in and I said I would meet me at the dock on Monday. Some said I would go to the dock. He went to Mr. Lewis and told him he was going to take care of me. They were the dock. The dock was a big one. Mr. Some said to say a bad word until it was over. Some came in the dock and said I was opening the door and that was it. Some then went to the wall.

S. C. Webb, Jr.
2/25/02

224-8445 - cell (mon)

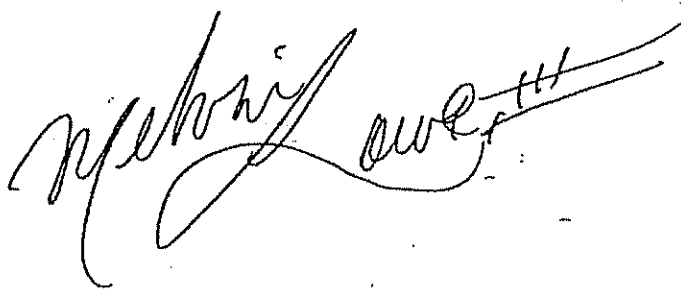
6139877 (Mr. Lewis #)
Grandday

Documentation on D'Angelo King:
February 15th 2002 @ 8:55a.m.

On February 15th I had to speak to D'Angelo about his behavior during the Writing Assessment Testing Prompt. I spoke to D'Angelo about his lack of participation and his lack of following directions. At the end of the period when I was fully aware that he had not participated I asked him what the problem and why hadn't he done his assignment as directed. He told me that he did not have a pen, I told him that you know that all writing much be done in pen and you are aware of the rules.

At that time we were getting ready to change classes. I told D'Angelo and some other students who did not follow directions that they would have to complete their assignment before leaving. However I told D'Angelo to come and go with me because we were going to call home about his attitude and behavior. Thus we never made it to the office, we went around the hallway and stopped in front of Mrs. Tucker's office. D'Angelo asked me what was he going to the office for because he said he hadn't done anything, I explained to him that he was not doing his work as he could and had in the past and I was not going to tolerate his attitude, and that I was tired of his negative attitude and that I would call home if he didn't get his act together. While talking to D'Angelo he was facing me and I was facing him. He was right outside Mr. Lewis's classroom.

On the way back to the room we stopped again outside in the hallway in view of the school security cameras and I warned him again about his behavior. I told him that I needed my assignment before he left. To my knowledge there might have been some students in the hall but none to whom I would recognize being students in my classes. Later that morning D'Angelo submitted to me his assignment and he went on to his next class. At that time I was not aware that there was a problem with the student per the verbal reprimand that was given to him.

A handwritten signature in black ink, appearing to read "Michael Lewis", with a stylized flourish at the end.

To: Mrs. Tina Minott, Principal of Southlawn Middle School
From: Robbin Phillips, 6th Grade Teacher
Re: Incident between Mr. Melvin Lowe, III and D'Angelo King
Date: February 20, 2002

On February 15th, I was told by Mrs. Jeanette Duncan of the situation between D'Angelo King and Mr. Melvin Lowe during fourth period planning. Since Mrs. Duncan was told of the situation first hand, I assumed that this situation had been taken care of and that she was only informing me of what had occurred.

A handwritten signature in cursive script that reads "Robbin Phillips". The signature is written in dark ink and is centered on the page.

To: Mrs. Tina Minott, Principal of Southlawn Middle School
From: Pedro Lewis, 6th Grade Teacher
Re: Incident between Mr. Melvin Lowe, III and D'Angelo King
Date: February 20, 2002

On February 15th, during first period I heard Mr. Lowe verbally discipline D'Angelo King in the hall outside his classroom (Room 110-C). At the beginning of second period as D'Angelo entered my class I asked him, "What had he done?" D'Angelo's reply was, "Mr. Lowe had slung him into the wall in the hall because he didn't have a pen during first period." My reply to D'Angelo was "Are you sure that's what happened?" At this time he proceeded to his desk with no comment and I began class. I did not observe any unusual behavior from D'Angelo during class. His demeanor did not change nor did he discuss the altercation any further. During the fourth period planning, Mrs. Duncan told me that D'Angelo had spoken to her regarding the incident between he and Mr. Lowe. According to Mrs. Duncan, "D'Angelo told her that Mr. Lowe slung him into the wall in the hall."

A handwritten signature in cursive script that reads "Pedro Lewis". The signature is written in dark ink and is located in the lower right portion of the page.

Kevin Holloway

Mr. Lowe took Dlow out the room:
and Course and called Pearson and he said
you ignorant Ass. fool. That is all
I know.

Erick King
2/21/02

Mr. Lowie took D.L.O. out
the room and call him
a nigga in Cali. him all
cines of names ignorant
ass child.

David Dudley
Date 2, 21, 02

Mr. Lowe took DeLo out of
the class and started to curse at
him. Mr. Lowe took him out of class
because he didn't have a pen to
write with. I heard Mr. Lowe cursing
at him. When DeLo came in the
class he was made and he said
Mr. Lowe pushed him against the
wall.

Brynn Fair

Feb 21 2003

I don't know anything
about Mrs. Lee and Dr. Angelo King

Sharronda Lowmeyer
Feb. 21, 2000

I have all right when
to the 2 per. class so I
don't know nothing about
it.

S.H.

109-C

Walter T. Price
Feb. 21, 2006

I don't know anything that happens
about De'Kingle and Mr. Lowe.

N. F. 109-C

To Whom it may Concern:

On Friday, February 15, 2002, D'Angelo King came to my classroom for 3rd period, around 1000. He had a scowl on his face. He asked if he could go to the office + call his mom. I asked if he was ill. He said his back hurt. I asked how he had hurt it. He said Mr. Lowe had slung him up against the wall. I took him into the hall and looked at his back. He said it hurt across his shoulder blades. I couldn't see any discoloration, and his ribs were not sensitive. He went back to class and continued with his day.

Around 2:35 D'Angelo again came to my room. He asked me if he should tell his mother what happened. I told him to do what he felt he needed to do. I asked him why Mr. Lowe had done this. D'Angelo said it was because he didn't have a pen and was using a mechanical pencil to do his work.

I mentioned the incident to Mr. Lewis after school. He said he had heard it. I had heard loud voices in the hall, but did not check it out. My door was closed.

Friday evening I tried to call Mrs. Minott at home as she was not available when I left school. She was not at home Friday evening. I did speak with her Saturday and told her all that had happened.

Janette Duncan

Jasmine Patterson
Feb 15, 2003

I saw Mr. Lowe throw
a student in the classroom by his
Arm, while we was carrying the table
to the teachers lounge.